

REMARKS

Entry of the foregoing, and reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested in light of the remarks which follow.

By the present amendment, non-elected claims 1-8 have been canceled without prejudice or disclaimer. Applicants reserve the right to file one or more divisional application(s) directed to the canceled subject matter. Additionally, claims 9 and 11 have been amended and claim 12 has been added. Claim 9 has simply been amended to be in better grammatical form. Claim 11 has been amended to be in better grammatical form, to be in proper Markush form, and to indicate that certain of the diseases and/or conditions associated with the excessive release of glutamate which can be treated by the claimed method are hormonal balance disorders, blood pressure disorders, thermoregulation disorders, respiration disorders, learning disorders, pattern recognition disorders and memory disorders. Support for these amendments can be found on at least page 2, line 8 through page 3, line 4 and page 10, line 26 through page 11, line 21. Claim 12 is directed to the types of acute or chronic neurodegenerative diseases which can be treated by the claimed method. Support for these amendments can also be found on at least page 2, line 8 through page 3, line 4 and page 10, line 26 through page 11, line 21. Hence, no new matter has been added.

Turning now to the Office Action, claim 11 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

The Examiner has indicated that "traumatic brain injury, blood pressure, thermoregulation, respiration, learning, pattern recognition and memory" are not seen as diseases or conditions which can be treated and has requested clarification. See OFFICE ACTION at 2-3. The Examiner's inquiry regarding traumatic brain injury is unclear as traumatic brain injury is certainly a condition which can be treated. As to the other conditions about which the Examiner inquires, claim 11 has been amended to make it clear that is hormonal balance disorders, blood pressure disorders, thermoregulation disorders, respiration disorders, learning disorders, pattern recognition disorders and memory disorders which are the conditions being treating by the claimed method. These claim amendments are not intended to limit the scope of claim 11 or any element recited therein.

In light of the above, the Examiner is respectfully requested to withdraw the 35 U.S.C § 112, second paragraph, rejection.

Claims 9-10 have been indicated as being allowable. See OFFICE ACTION at 3

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited

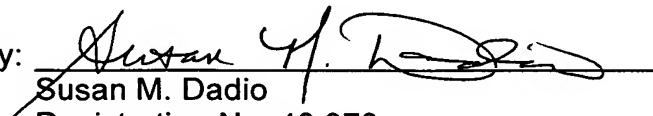
In the event that there are any questions relating to this Amendment and Reply, or the application in general, it would be appreciated if the Examiner would

telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

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